

On January 8, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**12018. Misbranding of Foley kidney pills. U. S. v. 4½ Dozen Bottles, et al., of Foley Kidney Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18020. S. No. E-4581.)**

On November 15, 1923, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 4½ dozen large bottles and 4¼ dozen small bottles of Foley kidney pills, at Boston, Mass., alleging that the article had been shipped by Foley & Co., from Chicago, Ill., on or about October 16, 1923, and transported from the State of Illinois into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained potassium nitrate, methylene blue, hexamethylene tetramine, and plant material including resin and juniper oil.

Misbranding of the article was alleged in the libel for the reason that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the said article, to wit, (bottle and carton) "Kidney Pills For Irritation [carton, large size, 'Irritations'] of Kidneys and Bladder, for Backache and Rheumatism due to Kidney Disorders," (circular) "Kidney Pills For Irritations of Kidneys and Bladder, for Backache and Rheumatism due to Kidney Disorders \* \* \* kidneys \* \* \* weakened by disease \* \* \* inflamed and congested \* \* \*". In addition to taking Foley Kidney Pills, we offer a few simple, but practical suggestions for the benefit of those having kidney and bladder troubles. 1st—Water should be drunk freely \* \* \*. 2nd—The Bowels must be kept active \* \* \*. 3rd—The diet is of great importance. \* \* \* Satisfaction Guaranteed," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 17, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**12019. Adulteration of walnuts in shell. U. S. v. 20 Bags of Walnuts in Shell. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18030. I. S. No. 15795-v. S. No. E-4590.)**

On November 20, 1923, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 20 bags of walnuts in shell, at New York, N. Y., alleging that the article had been shipped by Jos. Maresca & Sons, from Naples, Italy, on or about January 23, 1922, and imported from a foreign country into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in substance in the libel that the article was in violation of section 7 of the act, paragraph 6, under food, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On December 28, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**12020. Adulteration and misbranding of mineral water. U. S. v. Famous Mineral Wells Water Co., a Corporation. Plea of guilty to counts 1 and 4. Fine, \$100 and costs. Counts 2 and 3 dismissed. (F. & D. No. 10289. I. S. No. 6162-r.)**

On August 2, 1919, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Famous Mineral Wells Water Co., a corporation, Mineral Wells, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 7, 1918, from the State of Texas into the State of Oklahoma, of a quantity of mineral water which was adulterated and misbranded.